

GENERAL ORDERS

1917

HEADQUARTERS,

15th September, 1917.

The following Regulations, General Orders, etc., are promulgated to the Militia by the Honourable the Minister of Militia and Defence in Militia Council.

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INSTRUCTIONS, REGULATIONS, Etc.

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General Orders—(Instructions, Regulations, etc.)

Extract from THE CANADA GAZETTE of Saturday,
October 13, 1917.

GENERAL ORDERS.

1917.

HEADQUARTERS,

OTTAWA, 15th September, 1917.

INSTRUCTIONS, REGULATIONS, Etc.

MILITIA AND DEFENCE.

REGULATIONS GOVERNING SEPARATION
ALLOWANCE CANADIAN EXPEDITIONARY
FORCE.

September, 1917.

To take effect 1st September, 1917.

Approved by Order in Council No. 2375.

SECTION 1—EXPLANATIONS.

1. Separation Allowance is a grant made by the Government of the Dominion of Canada to dependents of members of the Canadian Expeditionary Force, while such members in respect of whom it is paid, remain on the strength of that Force.

2. The object of the Allowance is to assist members of the Force while serving therein, providing and maintaining a home for their respective dependents.

3. "Allowance" within the text of these Regulations means "Separation Allowance."

4. "Dependents" within the meaning of these Regulations, includes:—

- (a) Wife.
- (b) Motherless children.
- (c) Widowed mother, if the officer or soldier is her sole support and is unmarried within the meaning of these Regulations.
- (d) Mother, deserted by her husband, if the officer or soldier is her sole support and is unmarried, within the meaning of these regulations.
- (e) Mother, whose husband is alive but totally incapacitated from earning a living, if the officer or soldier is her sole support and is unmarried within the meaning of these regulations.

General Orders (Instructions, Regulations, etc.)—continued.

(f) Woman with whom an unmarried officer or soldier was living in domestic relations and publicly representing as his wife for a reasonable period immediately prior to enlistment.

5. "Officers" within the meaning of these Regulations includes all officers and nursing sisters appointed to the Canadian Expeditionary Force and paid as members of such.

6. "Soldiers" within the meaning of these Regulations includes all ranks, except officers, properly attested and serving on the strength of the Canadian Expeditionary Force, and paid as members of such.

7. "Mother" within the meaning of these Regulations includes foster-mother and step-mother.

8. "Widowed mother" within the meaning of these Regulations includes widowed foster-mother and widowed step-mother.

9. "Children" within the meaning of these Regulations includes step-children.

SECTION 2—GENERAL INSTRUCTIONS.

10. The following regulations for the issue of Separation Allowance will be effective from the 1st day of September, 1917, for the remaining period of the war, they supersede all other regulations and enactments previously issued, and will be regarded as authoritative directions in the matter of Separation Allowance, subject to amendments by Order-in-Council.

They will have no retroactive effect, other than to confirm decisions already given and action taken in accordance with them.

11. RATES OF ALLOWANCE.

The rates of Allowance shall be as follows:—

| | |
|---------------------------------------------------------------|------------------|
| Rank and file..... | \$ 20 per month. |
| Sergeants and higher rank below that of W.O. (1st Class)..... | 25 " |
| Warrant Officers (1st Class)..... | 30 " |
| Lieutenants..... | 30 " |
| Captains..... | 40 " |
| Majors..... | 50 " |
| Officers of Field rank higher than that of Major..... | 60 " |

General Orders (Instructions, Regulations, etc.)—continued.

12. No person shall receive more than one Allowance for his or her own benefit.

13. Only the one allowance may be issued on account of any officer or soldier, and that will be paid to or for his dependent. In exceptional cases, however, as for instance when there is a wife in one locality and children by a former wife in another, the allowance may be divided.

14. Soldiers on whose account Separation Allowance is issuable, must assign to the recipient not less than 15 days pay of rank (Working Pay and Field Allowance excluded). In cases where no such assignment has been made, but where it has been decided that the dependent is entitled to Separation Allowance, a compulsory assignment of 15 days pay of rank (Working Pay and Field Allowance excluded) may be put in force against the account of the officer or soldier. In cases where a compulsory assignment is put in force against an officer or soldier, the officer or soldier will be notified forthwith of the action taken. Should he object and submit reasons for his objections, it will be decided whether the compulsory assignment shall be continued or not.

SECTION 3.—CASUALTIES TO THE OFFICER OR SOLDIER.

15. If the officer or soldier is in receipt of a salary from the Dominion or a Provincial Government during his service with the Canadian Expeditionary Force, no Separation Allowance will be paid on his account, unless the salary in question is less than the rate of Separation Allowance, in which case the difference will be paid.

16. Subject to corresponding increase of Assigned Pay, Separation Allowance will increase automatically with promotion, provided that such promotion has been confirmed and published in Part II Daily Orders, quoting competent authority, but promotion to acting rank will not be accepted as a reason for increase of Separation Allowance. Such increase will take effect from the first day of the month following that in which promotion was confirmed.

17. The rate of Separation Allowance will not be reduced when an officer or soldier voluntarily reverts to lower rank in order to proceed overseas from England to the Front, but upon a reduction or reversion for any other cause, the rate of the Allowance will automatically decrease to the rate authorized for such lower rank. Such decrease will take effect from the

General Orders (Instructions, Regulations, etc.)—*continued.*

first day of the month following that in which such reduction or reversion was confirmed.

18. In the cases of officers and soldiers who die while serving, or who are reported "missing" and whose dependents are in receipt of Separation Allowance, Separation Allowance shall continue to be paid monthly thereafter at the rates laid down in Clause (a) below, and Assigned Pay shall continue or begin to be paid at the rates laid down in Clause (b) below, until such time as pension is ready for issue, in cases where a pension is to be awarded. In cases where no pension is to be awarded, Separation Allowance and Assigned Pay shall cease as soon as the S.A. and A.P. Division has been notified of the fact that no pension is to be awarded. If the proofs necessary to the granting of a pension are being unreasonably delayed, the Board of Pension Commissioners will so advise the S.A. and A.P. Division, with a view to having payments cease. Provided that in no case shall Separation Allowance and Assigned Pay be issued for more than three months after the first day of the month following that in which the officer or soldier was officially reported dead.

(a) The rate at which Separation Allowance shall be paid in the above cases will be that to which the officer or soldier was entitled at the time of his death or when he was reported "missing."

(b) Assigned Pay will be paid monthly at a rate equal to 15 days pay of rank, of the officer or soldier (Working Pay and Field Allowance excluded).

SECTION 4.—WITHDRAWAL, CESSATION AND SUSPENSION.

19. The Allowance will be discontinued to a dependent who is, owing to serious misconduct, unworthy to receive it.

20. Except as provided in paras. 21 and 22, the Allowance, if otherwise issuable, will not be withheld for periods for which the officer or soldier forfeits pay.

21. The Allowance will be suspended if the soldier on whose behalf it has been issued, is sentenced by any properly constituted authority to imprisonment for a period of six months or over. The Allowance will be resumed from the date on which the soldier again commences to draw pay after the completion of his sentence.

22. Payment of the allowance will be suspended upon the officer or soldier being reported absent without leave and the account will be closed from the

General Orders (Instructions, Regulations, etc.)—*continued.*

date on which it was suspended upon the officer or soldier being declared illegally absent by a Court of Enquiry.

23. If the officer or soldier rejoins, payments suspended under the provisions of the foregoing paragraph may be resumed from the date on which he again comes on pay.

24. Dependents of officers and soldiers reported "Prisoners of War" will continue to draw the allowance as if the officer or soldier were still on active service.

25. When an officer or soldier is discharged without pension, Separation Allowance and Assigned Pay may be continued to the dependent to the end of the month in which the officer or soldier is discharged.

SECTION 5.—WIVES AND LEGITIMATE CHILDREN.

26. The Allowance may be issued in favour of such motherless legitimate children as, in the case of boys, are under the age of 16, and in the case of girls, under the age of 17.

27. When the Allowance is claimed by an officer or soldier for his motherless children, a guardian of the children should be named in writing by the officer or soldier for the purpose of receiving the allowance.

28. The Allowance will not be issued for dependent who are maintained in a Dominion or Provincial Institution at the expense of the Dominion or Provincial Government.

29. Where a wife is separated from her husband by written Separation Agreement or a Judicial Decree of "Separation from bed and board" or other similar Judicial Decree, parting her from her husband, and is entitled under such agreement, or by order of a competent court, to payments from her husband, such payments shall be made from Separation Allowance issued to her, and if the Separation Allowance does not equal the amount so agreed upon or ordered to be paid by the court, a compulsory assignment of pay, equivalent to the difference between the Separation Allowance and such payments, but not exceeding 15 days' pay of rank (Working Pay and Field Allowance excluded), of the officer or soldier, may be put into effect against the officer or soldier.

(a) Where the wife is separated from her husband as above and is living apart from the children and is not charged with their care, Separation Allowance or Assigned Pay or a portion thereof, subject to any valid claim of the wife by virtue of Separation Agreement or Judicial Decree, may be issued to the guardian of the children.

General Orders (Instructions, Regulations, etc.)—continued.

(b) If the wife has been separated from her husband by Separation Agreement or Judicial Decree and it does not appear that the husband is absolved from supporting her, and if the wife furnish a satisfactory explanation for not having obtained a judgment for alimony, Separation Allowance may be issued to the wife.

30. Where the separation is not by virtue of a written Separation Agreement or Judicial Decree, and the wife for a reasonable time prior to the enlistment of the officer or soldier, was separated from him and was not in receipt of any payments from him, no issue of Separation Allowance will be made.

SECTION 6.—OTHER DEPENDENTS.

31. "Unmarried officers and soldiers" will be held to include "widowers" without children, and will also include married officers and soldiers, provided no Separation Allowance is issuable to their wives or legitimate children.

32. A mother whose husband is, through physical or mental disability, entirely incapacitated from earning a living, or who has deserted her and has not been supporting her for a reasonable length of time, will be treated as a widowed mother and granted the Allowance, provided the officer or soldier, prior to enlistment was, or subsequent to enlistment, has become her sole support, and the officer or soldier is "unmarried" within the meaning of para. 31.

(a) Any material improvement in the financial condition of a mother receiving the Allowance, as a widowed mother, must be at once communicated to the officer issuing Separation Allowance and Assigned Pay and the withholding of such information whereby payments have been obtained shall be deemed to constitute fraudulent action.

33. If otherwise eligible, a widowed mother dependent on two unmarried sons, one of whom has enlisted in the Force, will be entitled to the allowance when the remaining son enlists; and a widow with three or more unmarried sons, on whom she is dependent, will be entitled to the Allowance when a third son has enlisted.

34. The Allowance to a widowed mother will cease upon her re-marriage, or upon the marriage of her son, in respect of whom the Allowance has been granted.

35. A woman who has been living with an officer or soldier, who is unmarried within the meaning of para. 31, and publicly represented by him as his wife, and

General Orders (Instructions, Regulations, etc.)—continued.

has been regularly supported by him on a *bona fide* domestic basis for a reasonable time prior to enlistment, and the children of the officer's or soldier's household permanently maintained by him, will be entitled to the Allowance.

36. The Allowance may be granted for such adopted children of an officer or soldier as are, in the case of boys, under the age of 16, and in the case of girls, under the age of 17, provided such children have been regularly supported by the officer or soldier.

37. Separation Allowance shall not be issued in respect of a Nursing Sister who is herself in receipt of Separation Allowance as a dependent.

SECTION 7.—PROCEDURE FOR MAKING CLAIMS.

CLAIMS ON ENLISTMENT.

38. On appointment, every officer, and on enlistment, every soldier, claiming Separation Allowance for a dependent shall report to the Paymaster of his Unit, and fill out a Separation Allowance and Assigned Pay card, M.F.W. 30. All applications for the Allowance on the grounds of "Sole Support" and as "Guardian" must be accompanied by a Statutory Declaration and such other documentary evidence as may be required to substantiate the claim.

39. A soldier who has a dependent, but considers such dependent not eligible for Separation Allowance, under these Regulations, will be required to deliver to the Paymaster of his Unit, a statement under oath of the reason why he considers such dependent not eligible for the Allowance. Otherwise, if such dependent will make a claim for Separation Allowance, it will be taken for granted that the officer or soldier knows no valid reason why the allowance should not be granted and a compulsory assignment put in force against him.

40. Where the claim for Separation Allowance under para. 38 is refused as inadmissible, the amount of pay assigned by the soldier will be paid to the person named, unless it appears that the soldier has a dependent eligible for Separation Allowance, in which case Separation Allowance may be granted to such dependent, and a compulsory assignment may be put into force against the soldier in favour of such dependent. In such cases the soldier will be informed of what action has been taken by the Department, and a similar notification will be sent to the dependents concerned.

General Orders (Instructions, Regulations, etc.)

CLAIMS AFTER ENLISTMENT.

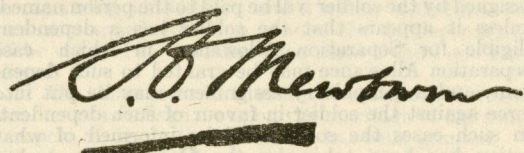
41. An officer or soldier intending to marry must inform his paymaster of his intention to marry, a sufficient length of time in advance of the marriage, to allow steps to be taken to discontinue the issue of any Separation Allowance or Assigned Pay previously authorized for another dependent on his account. He will, at the same time, state whether any such issue of Separation Allowance or Assigned Pay has been authorized, and if so, to whom. In such cases if Separation Allowance or Assigned Pay has previously been authorized for another dependent, the Paymaster will at once take steps to have it discontinued. The issue to the wife shall not commence until the issue to the other dependent has ceased, which should be at the end of the month in which the marriage has taken place.

42. As soon as the marriage has taken place, upon the production to the Paymaster of the marriage certificate, a notification showing the date and place of marriage and the wife's full name and address will appear in Part II Orders, and a Separation Allowance and Assigned Pay card will be completed by the officer or soldier and delivered to the Paymaster. The latter will satisfy himself that the wife of the soldier is of good character before any action is respect of payment is taken. If there is any doubt in the matter, the fullest enquiry is to be made by the Paymaster and a report sent to the officer issuing the Separation Allowance and Assigned Pay.

43. An officer or soldier who has not, on enlistment, claimed Separation Allowance for a dependent may afterwards submit a claim through his Paymaster.

44. In the cases of dependents other than wives and legitimate children, unless the application for Separation Allowance is made within thirty days of appointment or enlistment, no arrears of the Allowance will be issued for the period prior to application.

By Command,



Major-General,
Acting Adjutant-General.